

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

CHRIS SEVIER,)
vs.)
Plaintiff,)
vs.)
NANCY JONES, et al.,)
Defendants.)
CASE NO. 3:11-0435
JUDGE CAMPBELL/KNOWLES

REPORT AND RECOMMENDATION

On December 12, 2011, the undersigned entered an Order noting that no Summonses have ever been issued in this action, despite the fact that it was filed May 9, 2011. Docket No. 27. That Order stated in relevant part:

Within twenty (20) days of the date of entry of this Order, therefore, Plaintiff shall file a written statement showing good cause for his failure to serve the Defendant within 120 days after the filing of the Complaint. If Plaintiff fails to comply with the provisions of this Order, the undersigned will recommend that this action be dismissed without prejudice.

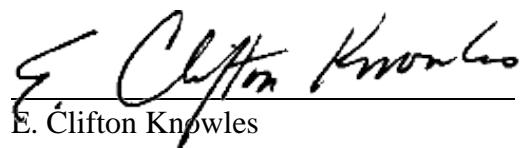
Id.

The referenced Order was entered December 12, 2011, and Plaintiff has failed to file the required written statement.

For the foregoing reasons, the undersigned recommends that this action be dismissed without prejudice.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to

this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
E. Clifton Knowles
United States Magistrate Judge